

Decision _____

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF
CALIFORNIA**

Application of Southern California Edison
Company (U338E) for Approval of its 2012-2014
California Alternate Rates for Energy (CARE) and
Energy Savings Assistance Programs and Budgets.

Application 11-05-017
(Filed May 16, 2011)

And Related Matters.

Application 11-05-018
Application 11-05-019
Application 11-05-020

**DECISION GRANTING COMPENSATION TO GREEN FOR ALL
FOR SUBSTANTIAL CONTRIBUTION TO DECISION 12-08-044**

Claimant: Green For All (G4A)	For contribution to Decision (D.) 12-08-044
Claimed (\$): \$34,446	Awarded (\$): \$24,716.88 (reduced 28.24%)
Assigned Commissioner: Catherine J. K. Sandoval	Assigned ALJ: Kimberly H. Kim

PART I: PROCEDURAL ISSUES

- A. Brief Description of Decision:** D.12-08-044 approved approximately \$5 billion for two energy-related low income programs, the Energy Savings Assistance (ESA) and the California Alternate Rates for Energy (CARE) Programs, for the 2012-2014 program cycle.

Claimant must satisfy intervenor compensation requirements set forth in Pub. Util. Code §§ 1801-1812:

	As Stated by Claimant	CPUC Verified
Timely filing of notice of intent to claim compensation (NOI) (§ 1804(a)):		
1. Date of Prehearing Conference (PHC):	August 8, 2011	Two PHCs held on Aug. 8 and Sept. 6, 2011.
2. Other Specified Date for NOI:	September 7, 2011	Incorrect. See Part I.C below.
3. Date NOI Filed:	November 16, 2011	November 14, 2011
4. Was the NOI timely filed?		Yes. See Part I.C below.
Showing of customer or customer-related status (§ 1802(b)):		
5. Based on ALJ ruling issued in proceeding number:	Application (A.) 11-05-017	Correct
6. Date of ALJ ruling:	December 22, 2011	December 20, 2011
7. Based on another CPUC determination:		N/A
8. Has the claimant demonstrated customer or customer-related status?		Yes. See Part I.C below.
Showing of “significant financial hardship” (§ 1802(g)):		
9. Based on ALJ ruling issued in proceeding number:	A.11-05-017	Correct
10. Date of ALJ ruling:	December 22, 2011	December 20, 2011
11. Based on another CPUC determination:		
12. Has the Claimant demonstrated significant financial hardship?		Yes. See Part I.C below.
Timely request for compensation (§ 1804(c)):		
13. Identify Final Decision:	D.12-08-044	Correct
14. Date of Issuance of Final Decision:	August 30, 2012	Correct
15. File date of compensation request:	October 29, 2012	See Part I.C below.
16. Was the request for compensation timely?		Yes. See Part I.C below.

B. Additional Comments on Part I:

#	Claimant	CPUC	Comment
3	X		On November 11, ALJ Kim granted Green For All permission for a late filing of the NOI for Compensation due to first time party status and not realizing NOI had to be filed with the docket office.
2 4		X	Two PHCs were held, the first on August 8, 2011, and the second on September 6, 2011. G4A filed its NOI on November 14, 2011. The NOI was deemed timely by an ALJ ruling dated December 20, 2011, wherein G4A was found to have satisfied the eligibility requirements of Pub. Util. Code § 1804(a).
8 12		X	The ALJ ruling dated December 20, 2011, determined that G4A had demonstrated (1) customer or customer-related status, and (2) significant financial hardship.
15 16		X	GRA's claim was filed on October 30, 2012. Rule 17.3 of the Commission's Rules of Practice and Procedure provides that a request for an award of compensation must be filed no later than 60 days after the issuance of a decision closing the proceeding. Here, the proceeding remains open (i.e., there has not been a decision closing the proceeding). Consequently, there is no deadline at this time to file claims. With no deadline, the claim is timely.

PART II: SUBSTANTIAL CONTRIBUTION**A. Claimant's description of its contribution to the final decision (see § 1802(i), § 1803(a) & D.98-04-059):**

Contribution	Citation to Decision or Record (Provided by Claimant)	Showing Accepted by CPUC
Worker education and Training (WE&T) related benefits G4A and Brightline argued for incorporating WE&T goals for disadvantaged workers and future quality workforce standards.	Written Testimony of Intervenors Green for All and Brightline Defense Project (11/18/11), at 3-4, 4-7, 19. D.12-08-044, at 178, 180-181; FOF 92, 95, 96, 97.	Accepted, but partial disallowance for non-substantial contribution and duplication. See Part III.C below.
G4A and Brightline argued for the investor owned utilities (IOUs) to refine partnerships with community colleges and community-based organizations to offer sector-based training and transferrable credentials.	Written Testimony of Intervenors Green for All and Brightline Defense Project (11/18/11) at 12-14. D.12-08-044, at. 180; COL 91.	Accepted, but partial disallowance for non-substantial contribution and duplication. See Part III.C below.

Contribution	Citation to Decision or Record (Provided by Claimant)	Showing Accepted by CPUC
Brightline and G4A also support all recommendations to track data related to how workers are paid, what wages workers are paid, what benefits workers are offered, where workers are recruited from (<i>e.g.</i> low income status or targeted communities), and how many workers are hired from training programs.	Written Testimony of Intervenor Green for All and Brightline Defense Project (11/18/11), at 14-17; Reply Brief of Green for All and Brightline Defense Project (2/16/12), at 8; Brightline Defense Project and Green For All's Reply to Opening Comments on the Proposed Decision (5/30/12), at 2-3. D.12-08-044, at 177-178, 181-183; COL 88, 92, 93.	Accepted, but partial disallowance for non-substantial contribution and duplication. See Part III.C below.
In response to the December 2011 Ruling, Brightline and G4A suggest that they do not feel the IOUs' Sector Strategy Action Plans identified in their 2010-2012 Statewide WE&T Program Modifications Advice Letters meet the WE&T needs outlined in the Strategic Plan for two reasons, namely: 1) few details are given about the ESA Program WE&T improvements in the letters, and 2) while the IOUs describe a sector strategy to meet many of the training goals called for in the Strategic Plan, they fail to plan for transition into "rewarding careers in energy services."	Written Testimony of Intervenor Green for All and Brightline Defense Project (11/18/11), at 11-12; Response of Intervenor Green for All and Brightline Defense Project to ALJ Kim's First Set of Questions, (1/13/12), at 2-7; Reply Brief of Green for All and Brightline Defense Project (2/16/12), at 4-5. D.12-08-044, at 183-184; FOF 89.	Accepted, but partial disallowance for non-substantial contribution and duplication. See Part III.C below.
Brightline and G4A argued for improved high-road labor standards and supported DRA's recommendation that the Commission require the IOUs to develop more explicit labor standards such as wage floors in order to ensure that the success of the ESA Program in recruiting workers from low income and disadvantaged communities.	Written Testimony of Intervenor Green for All and Brightline Defense Project (11/18/11), pp. 9-12; Reply Testimony of Brightline Defense Project (12/9/11), p. 2; Reply Brief of Green for All and Brightline Defense Project (2/16/12), pp. 3-4, 6-7. D.12-08-044, at 180-181; COL 89, 90.	Accepted, but partial disallowance for non-substantial contribution and duplication. See Part III.C below.
Brightline and G4A also argued for specific WE&T hiring goals and data practices to guide the WE&T Working Group.	Brightline Defense Project and Green For All's Reply to Opening Comments on the Proposed Decision (5/30/12), at 2-5. D.12-08-044, at 181-183; COL 96.	Accepted, but partial disallowance for non-substantial contribution and duplication. See Part III.C below.

B. Duplication of Effort (§§ 1801.3(f) & 1802.5):

	Claimant	CPUC Verified
a. Was the Division of Ratepayer Advocates (DRA) a party to the proceeding?	Yes	Yes
b. Were there other parties to the proceeding with positions similar to the claimant's?	Yes	Yes
c. Names of other parties (if applicable): Natural Resources Defense Council, American Insulation Inc., Southern California Gas Company/San Diego Gas & Electric Company, Southern California Edison Company, Niagara Conservation Corporation, National Asian American Coalition, The Utility Reform Network, Pacific Gas and Electric Company, Opower Inc., Synergy Companies, Green for All, The Greenlining Institute, The East Los Angeles Community Union (TELACU), The Maravilla Foundation, The Association of California Community and Energy Services (ACCES), The Energy Efficiency Council, National Consumer Law Center, Latino Business Chamber of Greater L.A., Utility Workers Union of America Local 132, Proteus, National Housing Law Project, California Housing Partnership Corp., California Large Energy Consumer Association, San Francisco Community Power, Black Economic Council, Center for Accessible Technology, Joint Committee on Energy and Environmental Policy, La Cooperativa Campesina de California		Yes
d. Claimant's description of how Claimant coordinated with DRA and other parties to avoid duplication or of how Claimant's participation supplemented, complemented, or contributed to that of another party: All active parties on WE&T issues, including Green For All, Brightline, Greenlining Institute, California Housing Partnership, the California Housing Partnership, the Black Economic Council, the National Asian American Coalition and the Latino Business Chamber of Greater Los Angeles have coordinated efforts throughout the proceeding. In preparation for numerous filings, the parties have communicated to not be duplicative in their advocacy for changes to WE&T aspects of ESAP. In this proceeding, Brightline and Green for All filed jointly when their positions were alike, but separately when each party wanted to articulate additional issues that drew upon its unique experience.		Verified, but partial disallowance for unnecessary duplication of other parties' participation. See Part III.C below.

PART III: REASONABLENESS OF REQUESTED COMPENSATION**A. General Claim of Reasonableness (§§ 1801 & 1806):**

a. Claimant’s explanation of how the cost of its participation bore a reasonable relationship with benefits realized through participation.	CPUC Verified												
Green For All’s cost of participation in the proceedings was very small, less than \$40,000, considering the scale of the ESA program in which Green For All was intervening and the small number of intervenors that represented the Workforce Education and Training component of the ESA program. Improvements and standards that relate to the WE&T aspects of the ESA program have the potential to improve the quality of services delivered within the program and to advance the CPUC’s economic development goals as set forth in D.12-08-044.	Verified												
b. Reasonableness of Hours Claimed. Green For All organized and facilitated a workshop to address the WE&T efforts among utilities and previously piloted proposals in an effort to address the WE&T related interests of all the parties to the proceeding. Additionally, Green For All jointly filed several series of testimony and comments. Though a first time party to such proceedings, Green For All worked closely with aligned organizations to minimize redundant efforts, ultimately using fewer hours than anticipated in the NOI to claim intervenor compensation.	Verified												
c. Allocation of Hours by Issue <table><tr><td></td><td>WE&T</td><td>General</td><td>Total</td></tr><tr><td>Total</td><td>215</td><td>52</td><td>267</td></tr><tr><td>%</td><td>81%</td><td>19%</td><td>100%</td></tr></table>		WE&T	General	Total	Total	215	52	267	%	81%	19%	100%	Verified. General hours includes time spent to prepare NOI and claim.
	WE&T	General	Total										
Total	215	52	267										
%	81%	19%	100%										

B. Specific Claim:

CLAIMED						CPUC AWARD			
ATTORNEY, EXPERT AND ADVOCATE FEES ¹									
Item	Year	Hours	Rate	Basis for Rate	Total	Year	Hours	Rate	Total ¹
Jeremy Hays	2011	16.5	\$250	D.08-04-010 ²	\$4,125	2011	13.38	\$250	\$3,343.75
Katherine Daniel	2011	135.25	\$125	D.08-04-010	\$16,906	2011	103.13	\$125	\$12,890.63
Emily Gordon	2011	61.25	\$100	D.08-04-010	\$6,125	2011	45	\$100	\$4,500.00

¹ Amounts in the right side Total Column reflect rounding in disallowance calculations.

² D.08-04-010 does not approve hourly rates for G4A. Rather, the decision provides guidance for setting reasonable hourly rates for all intervenors.

Jeremy Hays	2012	6.5	\$250	D.08-04-010	\$1,625	2012	3.38	\$270	\$911.25	
Katherine Daniel	2012	39	\$125	D.08-04-010	\$4,875	2012	19.5	\$135	\$2,632.50	
	Subtotal:				\$33,656	Subtotal:				\$24,278.13
OTHER FEES										
Item	Year	Hours	Rate	Basis for Rate	Total	Year	Hours	Rate	Total	
Dianna Frappier	2011	2	\$200		\$400	2011	0	n/a	\$0	
	Subtotal:				\$400	Subtotal:				\$0
INTERVENOR COMPENSATION CLAIM PREPARATION **										
Item	Year	Hours	Rate	Basis for Rate	Total	Year	Hours	Rate	Total	
Katherine Daniel	2012	6.5	\$60		\$390	2012	6.5	\$67.5	\$438.75	
	Subtotal:				\$390	Subtotal:				\$438.75
COSTS										
#	Item	Detail			Amount	Total				
Subtotal:					\$0	Subtotal:				\$0
TOTAL REQUEST :					\$34,446	TOTAL AWARD :				\$24,716.88
<p>* We remind all intervenors that Commission staff may audit their records related to the award and that intervenors must make and retain adequate accounting and other documentation to support all claims for intervenor compensation. Claimant’s records should identify specific issues for which it requested compensation, the actual time spent by each employee or consultant, the hourly rates and fees paid to consultants, and any other costs for which compensation was claimed. The records pertaining to an award shall be retained for at least three years from the date of the final decision making the award.</p> <p>** Reasonable claim preparation time typically compensated at ½ of preparer’s normal hourly rate (the same applies to the travel time).</p>										

C. CPUC Disallowances, Adjustments, and Comments:

#	Reason
Lack of Substantial Contribution.	<p>G4A claims a substantial contribution by advocating, together with Brightline, for (1) incorporating WE&T goals for disadvantaged workers and future quality workforce standards; and (2) requiring IOUs to refine partnerships with community colleges and community-based organization to offer sector-based training and transferable credentials. However, the Commission decided against the crux of these recommendations. We find there was no substantial contribution by G4A on these two matters.</p> <p>G4A did not report its time in a way that allows for a precise disallowance. Based on our observation of G4A's participation, we find that 25% of G4A's total claimed hours, excluding hours for workshop preparation, NOI preparation, and claim preparation, should be disallowed for non-substantial contribution.</p>

#	Reason
Duplication	<p>G4A claims a substantial contribution for its support of other parties' recommendations to track data related to how workers are paid, what wages workers are paid, what benefits workers are offered, where workers are recruited (e.g. low income status or targeted communities), and how many workers are hired from training programs. We find that G4A's effort on this matter duplicated to some extent the participation of other parties without concurrently complementing, supplementing, or contributing to the work of other parties to a material degree.</p> <p>G4A claims a substantial contribution for its support of DRA's recommendation that the Commission should require the IOUs to develop more explicit labor standards such as wage floors in order to ensure the success of the ESA Program in recruiting workers from low income and disadvantaged communities. We find that G4A's effort on this matter duplicated to some extent the participation of another party without concurrently complementing, supplementing, or contributing to the work of the other party to a material degree.</p> <p>G4A provided joint testimony/comments in conjunction with Brightline Defense Project (another party in this proceeding). We find that G4A's participation in this proceeding unnecessarily and/or inefficiently duplicated, to some extent, Brightline's participation.</p> <p>G4A did not report its time in a way that allows for a precise disallowance for duplication. Based on our observation of G4A's participation, we find that 25% of G4A's total claimed hours, excluding hours for workshop preparation, NOI preparation, and claim preparation, should be disallowed for the unnecessary duplication of other parties' participation.</p>
Hourly Rate for Jeremy Hays	<p>G4A requests an hourly rate of \$250 for work performed by Hays in 2011 and 2012. The Commission has not set an hourly rate for Hays previously.</p> <p>Hays is a founding Executive and the Chief Strategist for G4A, and has worked at the organization since 2008. Hays describes himself as a nationally recognized expert on the intersection of sustainability, green jobs, and social equity with 20 years of experience working on environment, development, and poverty issues at local, national, and international scales. Hays's current responsibilities at G4A are to lead G4A's green economic and workforce development initiatives at local and national levels. Prior to joining G4A, Hays was the national director for the Apollo Alliance in San Francisco (May 2005 – February 2008); Program Coordinator for the Urban Strategies Council in Oakland (March 2004 – April 2005); Project Manager and Policy Analyst for Oregon Solutions/National Policy Consensus Center in Portland, Oregon (November 2002 – September 2003); Community Building Technical Assistant for the Institute for Urban and Regional Development at the University of California at Berkeley (January 2002 – July 2002); Research Analyst for the California EPA's Assistant Secretary for Environmental Justice (July 2001 – December 2001); and Facilitator and Researcher at the Pacific Institute for Studies in Development, Environment, and Security in Oakland (January 2000 – January 2001). Hays has Masters of Arts in City Planning from the University of California at Berkeley (2002) and a Bachelors of Arts in Sociology from the University of Illinois at Urban-Champaign (1993).</p> <p>We will approve G4A's requested hourly rate of \$250 for Hays in 2011. For 2012, we will increase the approved hourly rate by 7.2%, rounded to the nearest \$5 increment, to reflect a step increase and COLA adjustment consistent with Resolution ALJ-281, dated September 13, 2012. The approved hourly rate for Hays in 2012 is \$270.</p>
Hourly rate for Katherine Daniel	<p>G4A requests an hourly rate of \$125 for work performed by Daniel in 2011 and 2012. The Commission has not set an hourly rate for Daniel previously.</p> <p>It appears that Daniel joined G4A sometime in 2010 as a Senior Associate. Daniel's experience at G4A includes convening national working groups to develop sector-specific workforce</p>

#	Reason
	<p>education and training initiatives. She is described as a recognized expert in Workforce Education and Training for energy efficiency and a sought after speaker and advisor who has helped shape municipal programs around the country.</p> <p>Prior to joining G4A, Daniel was a Volunteer Fellow at the Aravind Eye Hospital in Madurai, India (January 2010 – July 2010); Project Manager and Senior Business Analyst at Rubicon National Social Innovations in San Francisco (November 2008 – December 2009); Associate at ICF International in San Francisco (October 2006 – November 2008); Services Coordinator at Citizens Housing Corporation in San Francisco (September 2002 – July 2004); and an AmeriCorps worker (May 2001 – August 2002). Daniels has a Masters of Arts in City Planning from the University of California at Berkeley (2006) and a Bachelor of Science in Psychology from the University of Illinois at Urbana-Champaign (2001).</p> <p>We will approve G4A’s requested hourly rate of \$125 for Daniel in 2011. For 2012, we will increase the approved hourly rate by 7.2%, rounded to the nearest \$5 increment, to reflect a step increase and COLA adjustment consistent with Resolution ALJ-281, dated September 13, 2012. The approved hourly rate for Daniel in 2012 is \$135.</p>
Hourly rate for Emily Gordon	<p>G4A requests an hourly rate of \$100 for work performed by Gordon in 2011. The Commission has not set an hourly rate for Gordon previously.</p> <p>It appears that Gordon joined G4A in 2010 or 2011 as a Senior Associate.</p> <p>Prior to joining G4A, Gordon was a Campaign Director for the National Union of Healthcare Workers in Emeryville (January 2009 – October 2010); and Assistant Director of Research at the Service Employees International Union, in Oakland (June 2002 – January 2009). Gordon has a Bachelor of Arts in Urban Studies and American History from Macalester College in Minnesota.</p> <p>We will approve G4A’s requested hourly rate of \$100 for Gordon in 2011.</p>
Hourly Rate for Dianna Frappier	<p>G4A claims two hours for Frappier in 2011, which are disallowed for the reason stated below. Consequently, there is no need to set an hourly rate for Frappier.</p>
Claimed Hours for NOI Preparation	<p>G4A claims 12 hours in 2011 to prepare its NOI (3.5 hours for Daniel, 6.5 hours for Gordon, and 2 hours for Frappier). The Commission typically limits awards for NOI preparation to no more than 10 hours (and fewer hours for an experienced practitioner, which is not the case here). Accordingly, two hours are disallowed. The disallowed hours are allocated entirely to Frappier, who has a higher hourly rate than Daniel and Gordon.</p>
Hourly Rates to Prepare NOI in 2011	<p>G4A claims 3.5 hours of Daniel’s time in 2011 and 6.5 hours of Gordon’s time in 2011 to prepare G4A’s NOI, at Daniel’s and Gordon’s full professional hourly rates. The Commission typically limits the hourly rate to prepare an NOI to half of the approved professional hourly rate. To achieve this result, half of the claimed hours to prepare the NOI are disallowed. The disallowance equates to 1.75 hours for Daniel in 2011, and 3.25 hours for Gordon in 2011.</p>

PART IV: OPPOSITIONS AND COMMENTS

A. Opposition: Did any party oppose the claim?	No
B. Comment Period: Was the 30-day comment period waived (<i>see</i> Rule 14.6(c)(6))?	Yes

FINDINGS OF FACT

1. Green For All has made a substantial contribution to Decision 12-08-044.
2. The requested hourly rates for Green for All's representatives, as adjusted herein, are comparable to market rates paid to experts and advocates having comparable training and experience and offering similar services
3. The claimed fees and costs, as adjusted herein, are comparable to market rates paid to advocates having comparable training and experience and offering similar services.
4. The total reasonable compensation is \$24,716.88.

CONCLUSION OF LAW

1. The claim, with any adjustment set forth above, satisfies all requirements of Pub. Util. Code §§ 1801-1812.

ORDER

1. Green For All is awarded \$24,716.88.
2. Within 30 days of the effective date of this decision, Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, and Southern California Gas Company shall each pay its respective share of the award based on its California-jurisdictional gas and electric revenues for the 2012 calendar year. Payment of the award shall include compound interest at the rate earned on prime, three-month non-financial commercial paper as reported in Federal Reserve Statistical Release H.15, beginning January 13, 2013, the 75th day after the filing of Claimant's request, and continuing until full payment is made. Interest shall be calculated in accordance with the guidelines set forth in Resolution ALJ-294, dated September 9, 2013.
3. The comment period for today's decision is waived.
4. This proceeding remains open to address other related matters.

This order is effective today.

APPENDIX

Compensation Decision Summary Information

Compensation Decision:		Modifies Decision? No
Contribution Decision(s):	D1208044	
Proceeding(s):	A1105017, A1105018, A1105019, and A1105020	
Author:	ALJ Kimberly H. Kim	
Payer(s):	Pacific Gas and Electric Company, San Diego Gas & Electric Company, Southern California Edison Company, and Southern California Gas Company	

Intervenor Information

Intervenor	Claim Date	Amount Requested	Amount Awarded	Multiplier	Reason Change/Disallowance
Green For All	10/30/12	\$34,446	\$24,716.88	No	<ul style="list-style-type: none"> • Increased hourly rates for 2012 for COLA and step increase. • Disallowed unreasonable hours for NOI preparation in 2011. • Disallowed unnecessary duplication of other parties' participation in 2011 and 2012. • Disallowed hours claimed for non-substantial contributions in 2011 and 2012.

Advocate Information

First Name	Last Name	Type	Intervenor	Hourly Fee Requested	Year Hourly Fee Requested	Hourly Fee Adopted
Katherine	Daniel	Advocate	Green For All	\$125	2011	\$125
Katherine	Daniel	Advocate	Green For All	\$125	2012	\$135
Emily	Gordon	Advocate	Green For All	\$100	2011	\$100
Jeremy	Hays	Advocate	Green For All	\$250	2011	\$250
Jeremy	Hays	Advocate	Green For All	\$250	2012	\$270

(END OF APPENDIX)